

NEWS from



Bill Postmus Supervisor, 1st District

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POSTMUS SIDES WITH RANCHERS IN RESISTING FEDERAL ORDER

SAN BERNARDINO—First District San Bernardino County Supervisor Bill Postmus today submitted comments to the local office of the federal Bureau of Land Management (BLM) objecting to a Proposed Order seeking to oust a cattle rancher from his grazing allotment near Barstow.

"It is my belief that the loss of ranching operations in my District will cause considerable and perhaps actionable harm to San Bernardino County by negatively impacting its employment and tax base, which are necessary to provide vital public services to the citizens of San Bernardino County," Postmus wrote to Tim Salt, California Desert District Manager for the BLM.

The comments were submitted in support of an Appeal to the Proposed Order issued against Dave Fisher, owner of the Shield "F" Ranch in the Ord Mountain area. They are the latest communication between Postmus and the Bureau in an ongoing controversy over the BLM's recent Federal Court settlement with the Tucson-based Southwest Center for Biological Diversity which promised to ban spring grazing on BLM lands in desert tortoise "critical habitat" within the California Desert Conservation Area. The desert tortoise is listed as "Threatened" under the federal Endangered Species Act.

In a letter sent to the BLM the previous day, Postmus wrote, "I believe some of the communications sent to the higher echelons of the Bureau of Land Management in the past week illustrate the fact that public outcry over federal encroachments on the livelihoods of our residents has reached a fever pitch."

Postmus said the communications to which he was referring include a letter

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signed by 28 members of the California Legislature and a letter from Sheriff Gary Penrod to the BLM. The Sheriff's letter notified the agency of the Sheriff's termination of a law enforcement Memorandum of Understanding between the two agencies. Penrod cited the Proposed Order issued to Fisher as his reason for terminating the agreement, which sets forth procedures for mutual assistance and enforcement activities on public and private lands. Postmus said he supports the Sheriff's decision.

In his comments, Postmus reiterated comments he had made previously to the BLM and to the Court proceeding, as well as issues that were raised in San Bernardino County's amicus brief filed in the settlement proceedings.

While the BLM's Proposed Order, which was issued to Fisher April 9, purports to be temporary pending an agreement between the BLM and the U.S. Fish and Wildlife Service over desert tortoise conservation measures, Fisher and Postmus maintain that a spring grazing ban would put several ranches out of business, the first being Fisher's.

Postmus' comments included the following:

1. Lack of Scientific Evidence. Postmus said although cattle and tortoises eat grasses, there is no scientific evidence (as required by law) to justify the notion that the two species cannot coexist. In fact, Postmus said, "The BLM has presented no factual, monitoring or other evidence to show that the condition on any of these allotments requires a grazing adjustment to further increase tortoise populations.... Despite this continued grazing, desert tortoise population numbers are either stable or increasing."

Postmus added that existing livestock grazing in the Mojave Desert has already been the subject of six biological opinions issued by the federal Fish and Wildlife Service. "Not one of these biological opinions contained a determination that continued grazing would jeopardize the continued existence of the desert tortoise under the Endangered Species Act," Postmus said.

2. No Consultation with Permittees or the County.

Postmus also said the BLM failed to discuss any of its proposed actions with the affected permittees in violation of 43 C.F.R. § 4110.3-3(a). "San Bernardino County was not consulted about the proposed Environmental Assessment (a document issued in conjunction with the Proposed Order), in violation of the National Environmental Policy Act," Postmus said.

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Destruction of the Livelihood of Ranchers.

Postmus argued that forcing ranchers to move their livestock during calving will result in extensive cattle weight loss, health problems and even livestock deaths. "Most of the permittees' livestock breeding programs consist of livestock raised on the CDCA (Conservation Area), not purchased from the outside. If forced to sell their livestock, they will never be able to achieve the quality of livestock they now have," said Postmus.

Postmus pledged to continue to support ranchers and other parties affected by the BLM settlement.